

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

B/E AEROSPACE, INC.,

Petitioner and  
Cross-Respondent,

v.

JET AVIATION ST. LOUIS, INC. F/K/A  
MIDCOAST AVIATION, INC.,

Respondent and  
Cross-Petitioner.

No. 11 Civ. 8569 (SAS)

**MOTION TO CONFIRM FINAL ARBITRATION AWARD**

Cross-Petitioner and Respondent Jet Aviation St. Louis, Inc., f/k/a Midcoast Aviation (“Midcoast”), respectfully moves this Court pursuant to Section 9 of the Federal Arbitration Act, 9 U.S.C. § 9, to confirm the November 7, 2011 Final Award made in Case Number 58 132 Y 00119 11 by the Commercial Arbitration Tribunal of the American Arbitration Association (the “Tribunal”) in favor of Midcoast, as affirmed by the Tribunal on December 10, 2011, because the parties have consented that judgment upon the arbitration award may be entered in any federal court having jurisdiction and because there is no reason to vacate the Final Award. In support of this Motion, Midcoast submits herewith its Consolidated Memorandum of Law in Support of its Motion to Confirm Final Arbitration Award and Opposition to B/E Aerospace, Inc.’s Petition for Judgment Vacating Final Arbitration.

WHEREFORE, Midcoast respectfully requests that this Court:

- (a) grant Midcoast’s Motion to confirm the Final Award, as affirmed by the Tribunal;

- (b) deny B/E Aerospace Inc.'s Petition to Vacate the Final Award;
- (c) award Midcoast its costs and attorneys' fees incurred in this action; and
- (e) grant Midcoast such other and further relief as this Court deems just and appropriate.

Dated: January 13, 2012

Respectfully submitted,

JET AVIATION ST. LOUIS, INC. F/K/A  
MIDCOAST AVIATION, INC.

By: /s/ Joseph J. McFadden

One of its Attorneys

Michael A. Doornweerd  
Andrew F. Merrick  
JENNER & BLOCK LLP  
353 North Clark Street  
Chicago, IL 60654  
Telephone: (312) 923-2631  
MDoornweerd@jenner.com  
AMerrick@jenner.com

– and –

Joseph J. McFadden  
JENNER & BLOCK LLP  
919 Third Avenue  
37th Floor  
New York, NY 10022-3908  
Telephone: (212) 891-1658  
JMcFadden@jenner.com

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on the 13th day of January, 2012, I filed the foregoing Motion to Confirm Final Arbitration Award and accompanying Memorandum of Law electronically, through the CM-ECF system, which caused counsel for B/E Aerospace to be served by electronic means.

/s/ Joseph J. McFadden